

## **Deposition of Michael Carrick**

**Oregon Firearms Federation, Inc., et al. v. Kotech, et al.  
(Consolidated)**

**March 22, 2023**



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Page 1

IN THE UNITED DISTRICT COURT  
DISTRICT OF OREGON  
PENDLETON DIVISION

OREGON FIREARMS FEDERATION,	)	No. 2:22-cv-01815-IM
INC., et al.,	)	3:22-cv-01859-IM
	)	3:22-cv-01862-IM
Plaintiffs,	)	3:22-cv-01869-IM
	)	
v.	)	
	)	
TINA KOTEK, et al.,	)	
	)	
Defendants.	)	
	)	
and	)	
	)	
OREGON ALLIANCE FOR GUN SAFETY,	)	
	)	
Intervenor-Defendant.	)	
	)	
Caption continues....	)	

VIDEOTAPED VIDEOCONFERENCE DEPOSITION

OF

MICHAEL CARRICK

9:03 a.m.

(All participants appeared via videoconference.)

DATE TAKEN: MARCH 22, 2023

REPORTED BY: CRYSTAL R. McAULIFFE, RPR, CCR 2121

Page 2

1 Caption continued... )  
2 MARK FITZ, et al., )  
3 Plaintiffs, )  
4 v. )  
5 ELLEN F. ROSENBLUM, et al., )  
6 Defendants. )  
7 \_\_\_\_\_ )  
8 KATERINA B. EYRE, et al., )  
9 Plaintiffs, )  
10 v. )  
11 ELLEN F. ROSENBLUM, et al., )  
12 Defendants. )  
13 \_\_\_\_\_ )  
14 DANIEL AZZOPARDI, et al., )  
15 Plaintiffs, )  
16 v. )  
17 ELLEN F. ROSENBLUM, et al., )  
18 Defendants. )  
19 \_\_\_\_\_ )  
20  
21  
22  
23  
24  
25

Page 3

A P P E A R A N C E S

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Page 4

## VIDEOCONFERENCE DEPOSITION OF MICHAEL CARRICK

## EXAMINATION INDEX

MARCH 22, 2023

EXAMINATION BY	PAGE
Mr. Jindal . . . . .	6
Mr. Williamson . . . . .	91
Mr. Jindal . . . . .	95

## EXHIBIT INDEX

EXHIBITS FOR IDENTIFICATION	PAGE
55 Declaration of Michael Carrick	8
56 American Society of Arms Collectors website printout	83

Page 10

1 America because I haven't looked into that.

2 Q. When you say there were repeating rifles known  
3 in America in 1791, what do you mean by that?

4 A. I didn't say that they were known in America.

5 They were known to collectors back to the --  
6 about the 1740s, there existed repeating rifles at least  
7 in England. As far as -- all I know about America is  
8 the one I'm familiar with as the Girardoni.

9 Q. So the only repeating rifle that you know of  
10 being in existence in America, in say -- let's say, the  
11 10-year period around 1791 is the single Girardoni rifle  
12 that we're here to discuss today?

13 A. Yes.

14 Q. Do you think that repeating guns were  
15 commonplace in America in 1791?

16 A. No.

17 Q. Is it safe to say that most Americans wouldn't  
18 have ever seen a repeating gun in 1791?

19 A. That's correct.

20 Q. And in your declaration on paragraph 18, on  
21 page 7, you describe Meriwether Lewis using the  
22 Girardoni rifle to astonish Indians and conclude -- and  
23 I'm just going to quote it here.

24 "Anyone in America in 1803 would be astonished  
25 to see a rifle that could fire 20 projectiles in

1 one minute without reloading."

2 Why would a repeating rifle be astonishing to  
3 anyone in America in 1803?

4 A. Because there are very few people that know they  
5 exist.

6 Q. And do very few people know they exist in large  
7 part because they just aren't readily available in  
8 America at that time?

9 A. Due to the scarcity of it, I would say, yes,  
10 they were not readily available.

11 Q. You said due to scarcity?

12 A. Yes. Due to the scarcity in the world.

13 Q. Understood.

14 To the best of your knowledge, was the  
15 Girardoni-style air rifle sold commercially in America  
16 in 1791?

17 A. It was not.

18 Q. Would it be fair to estimate not more than 10  
19 repeating guns of thereabouts existed in America in  
20 1791?

21 A. Well, I have no specific knowledge on that, but  
22 I would suspect you're correct.

23 Q. Yeah. Do you think that the number would be  
24 significantly lower than ten, maybe even single digits?

25 A. I don't know.

Page 99

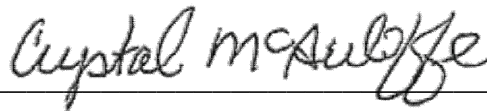
## C E R T I F I C A T E

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KITSAP )

I, CRYSTAL R. McAULIFFE, a Certified Court Reporter in and for the State of Washington, do hereby certify that the foregoing transcript of the videoconference deposition of MICHAEL CARRICK, having been duly sworn on MARCH 22, 2023, is true and accurate to the best of my knowledge, skill and ability.

Reading and signing was not requested pursuant to FRCP Rule 30(e).

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3rd day of April, 2023.



CRYSTAL R. McAULIFFE, RPR, CCR #2121